

and appeared L. R. Grant who being duly sworn deposes and says that the within named Daniel Durham executed and delivered the foregoing deed for the purposes therein mentioned in the presence of John S. Williams and this deponent, both of whom subscribed the same as witnesses on the day of its date, sworn to and subscribed before me this Eighth day of April A. D. 1844

J. R. Wilson J. P. Recorded this 10. April 1844

John Glen, C. M.

Georgia DeKalb County. This indenture made this third day of January in the year of our Lord one thousand eight hundred and forty four, between William Thurman of said County of the one part and the Georgia Rail Road and Banking Company of the other part, Witnesseth, that the said William Thurman for and in consideration of summing their contemplated Rail Road on and along his land as well as in consideration of the sum of one dollar to him in hand paid at and before the sealing and delivery of these presents the receipt whereof is hereby acknowledged hath given granted bargained and sold and by these presents doth give grant bargain and sell unto the said Georgia Rail Road and Banking Company and their successors and assigns the right of way over which to pass at all times by themselves Directors officers agents hirelings and servants in any manner they may think proper and particularly for the purpose of running erecting and establishing thereon a Rail Road with the requisite number of track, pursuant to a charter of incorporation passed the twenty first day of December eighteen hundred and thirty three and amended at subsequent sessions of the General Assembly by conferring Banking powers and privilege of extending the road from Madison to the Southern Terminus of the Western & Atlantic Rail Road, and to this end the limit of said right of way shall extend in width thirty three yards on each side of the centre line of the road way of the said Rail Road when completed and to extend in length through the whole tract of land owned and claimed by said William Thurman, situate lying and being in DeKalb County adjoining lands of Robinson and Little and running in such direction through said tract of Land as the said Georgia Rail Road & Banking Company by their Engineers shall think best suited for the purpose of locating and establishing their works, and connected with said right of way the said Company shall have the right to cut down and remove all such trees underwood and other growth and timber on each side of said road as would by falling on or shading the same injure the rails or other parts of said road, In addition to the above the Georgia Rail Road & Banking Company agree to pay the said Mr. Thurman five Dollars per acre and to bind themselves in this bond that the present location of the road shall be final through the land of the said Thurman, Together with all those singular the rights incidents and appurtenances to the said strip tract or parcel of land being belonging or in any wise appertaining and more especially the right of way over the same, to have and to hold the same unto the said Georgia Rail Road and Banking Company the successors and

assigns to their own proper use benefit and behoof forever in fee simple, upon condition and it is expressly understood that should the said Rail Road contemplated as aforesaid be not located and established on and along said strip tract or parcel of land ascertained in the above and foregoing indenture, then said indenture is to be wholly null and void and of no effect, and the said William Thurman for his heirs and assigns will warrant and defend the title thereof unto the Georgia Rail Road & Banking Company their successors and assigns against the claims of all persons whatsoever. In Witness whereof the said William Thurman hath hereunto set his hand and seal the day and year first above written, Signed Sealed and delivered in presence of

L. P. Grant
Wiles B. Robinson

William Thurman

Before me J. B. Nelson a Justice of the peace in and for DeKalb County said County aforesaid personally came and appeared L. P. Grant who being duly sworn deposed and said that the within named William Thurman executed and delivered the foregoing deed for the purposes therein mentioned in the presence of Wiles B. Robinson and this deponent, both of whom subscribed the same as witnesses on the day of its date, Given to and subscribed before me this eighth day of April A.D. 1844

J. B. Nelson J. P.

Recorded this the 11th day of April 1844
John Glen, Clerk

This Indenture made this tenth day of February in the year of our Lord one thousand eight hundred and forty four Between John Giddard of said County of the one part and the Georgia Rail Road and Banking Company of the other part, Witnesseth that the said John Giddard for and in consideration of running their contemplated Rail Road on and along his land as well as in consideration of the sum of one dollar to him no hand paid at and before the sealing and delivery of this presents the receipt whereof is hereby acknowledged hath given granted bargained and sold unto the said Georgia Rail Road & Banking Company and their successors and assigns the right of way over which to pass at all times by their or Directors Officers, agents hirelings and servant in any manner they may think proper and particularly for the purpose of running erecting and establishing thereon a Rail Road with the requisite number of tracks pursuant to a charter of incorporation passed the twenty first day of December eighteen hundred and thirty three and amended at subsequent sessions of the General Assembly by conferring Banking powers and the privilege of extending the Road from Madison to the Southern Terminus of the Western & Atlantic State Road, And to this end the limit of said Right of way shall extend in width thirty three and one third (33 1/3) yards on each side of the center line of the said way of the said Rail Road when completed and to extend in length through the whole tract of land owned and claimed by said John Giddard, situate lying and being in DeKalb County adjoining lands of G. P. Bolton Pittman and others and running in such direction as the said Georgia Rail Road and Banking Company may think proper